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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH

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PURPLE INNOVATIONS, a Delaware  
limited liability company,

Plaintiff,

v.

HONEST REVIEWS, a Florida  
Corporation, RYAN MONAHAN, an  
individual, and GHOSTBED, a Delaware  
corporation,

Defendants.

**ORDER DENYING MOTION FOR  
TEMPORARY RESTRAINING ORDER**

Case No. 2:17-cv-138-DB

District Judge Dee Benson

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Before the court is Plaintiff's *ex parte* Motion for Temporary Restraining Order. (Dkt. No. 8.) Rule of Civil Procedure 65(b) allows entry of a Temporary Restraining Order without written or oral notice to the other party only if the moving party sets forth "specific facts...[that] clearly show that immediate irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition." Furthermore, the "movant's attorney [must] certif[y] in writing any efforts made to give notice and the reasons why it should not be required." Fed. R. Civ. Proc. 65(b). The court finds that movant has failed to meet its burden to show what efforts have been made to provide notice, why notice should not be required in this case, and whether immediate irreparable injury will result before the adverse party can be heard in opposition.

As such, the court hereby DENIES Plaintiff's Motion for entry of an *ex parte* Temporary Restraining Order.

DATED this 1st day of March, 2017.

BY THE COURT:

A handwritten signature in black ink, reading "Dee Benson". The signature is written in a cursive, flowing style. The first name "Dee" is written with a large, stylized 'D' that loops around the 'e'. The last name "Benson" is written in a more standard cursive script. The signature is positioned above a horizontal line.

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Dee Benson  
United States District Judge